

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

FIRST SOUND BANK, a Washington
corporation,

Plaintiff,

v.

LARASCO, INC., a Washington
corporation; LOUIS A. SECORD, JR., an
individual; and RICHARD A. SECORD,
an individual,

Defendants.

No. C09-0056-TSZ

**FIRST SOUND BANK'S MOTION
FOR LEAVE TO FILE OVER-
LENGTH MOTION**

NOTE ON MOTION CALENDAR:
February 9, 2009

Pursuant to Local CR 7(f), plaintiff First Sound Bank ("FSB") hereby seeks leave to file an over-length motion for preliminary injunction and attachment of assets. FSB respectfully requests that it be permitted to exceed the applicable page limit by five pages, for a total page limit of 29 pages.

DISCUSSION

On February 12, 2009, FSB will file a motion for prejudgment attachment and a preliminary injunction freezing certain assets of defendants. As will be explained in that motion, FSB is entitled to (1) a writ of attachment under Fed. R. Civ. P. 64 and RCW Chapter 6.25, and (2) a preliminary injunction freezing assets under Fed. R. Civ. P. 65. The

1 need for this prejudgment relief arises from a complex and multi-faceted fraud perpetrated
 2 by the defendants, Louis A. Secord, Jr., Richard A. Secord, and Larasco, Inc., (collectively,
 3 “defendants”) in the operation of their business, Puget Sound Leasing, and in the sale of the
 4 assets of that business to FSB.

5 Defendants are liable to FSB for violation of Section 10(b) of the Securities
 6 Exchange Act, SEC Rule 10b-5, and the Washington State Securities Act, among other
 7 claims. This liability will be established by extensive evidentiary materials that FSB will
 8 submit in connection with the motion. An over-length brief is necessary to adequately
 9 summarize these evidentiary materials and describe defendants’ wide-ranging fraud. The
 10 over-length brief is further necessitated by the fact that plaintiff is seeking alternative relief
 11 under two distinct but related sources of authority: Washington’s prejudgment attachment
 12 statute and Federal Rule of Civil Procedure 65. Presenting this evidence in a single brief
 13 will aid in the Court’s resolution of the motion.

14 Under Local CR 7(e)(3), a motion for preliminary injunction may not exceed 24
 15 pages absent prior Court approval. FSB respectfully requests an additional 5 pages, for a
 16 total limit of 29 pages, in which to present its evidence and argument.

17 Dated: February 12, 2009.

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